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**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b> Examiner M. Patterson	<b>FROM:</b> Byron S. Kuzara
<b>COMPANY:</b> USPTO	<b>DATE:</b> February 18, 2005
<b>FAX NUMBER:</b> 703-872-9306	<b>TOTAL NO. OF PAGES:</b> 23
<b>RE:</b> Serial No. 10/620,837	<b>OUR REFERENCE NO.:</b> 005127.85919

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

**NAME:** Lesa Wolman **PHONE:** 503-425-6800

**COMMENTS:**

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Amendment (20 pages)  
Fee Transmittal (1 page)

Serial No. 10/620,837  
Attorney Docket No. 005127.85919

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SS/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4515).**FEE TRANSMITTAL  
for FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 250.00**Complete If Known**

Application Number	10/820,837
Filing Date	7/18/03
First Named Inventor	John Swigart, et al.
Examiner Name	M. Patterson
Art Unit	3728
Attorney Docket No.	005127.85919

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-0733Deposit Account Name: **Banner & Witcoff, LTD.**

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☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

**Total Claims**

72 - 71 or HP = 1 x 50 = 50

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**

9 - 5 or HP = 1 x 200 = 200

HP = highest number of independent claims paid for, if greater than 3.

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180
Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
_____	0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

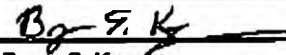
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x	_____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**Fees Paid (\$)****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	51,255	Telephone	503-425-6800
Name (Print/Type)	Byron S. Kuzara	Date	2/18/05		

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 872-9306 on February 18, 2005.

Respectfully submitted,

By: B. S. K.  
Byron S. Kuzand  
Registration Number 51,255  
Banner & Witcoff, Ltd.

# PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

***In re Application of***

John F. SWIGART, et al.

**Serial Number: 10/620,837**

**Filed: July 16, 2003**

**For: FOOTWEAR WITH A SOLE STRUCTURE  
INCORPORATING A LOBED FLUID-  
FILLED BLADDER**

Group Art Unit: 3728

**Examiner: Patterson, M.**

**Attorney Reference: 005127.85919**

## AMENDMENT

**Commissioner for Patents**  
**Alexandria, VA 22313**

Sir:

In response to the Office Action mailed December 16, 2004, please amend the above-captioned application as follows: